

MARCELLUS B. JONES,
(PLAINTIFF),

CIVIL ACTION # 15-CV-0130
JUDGE GERALD McHUGH

* 150

JOHN WETZEL ET AL
(DEFENDANT(S)).

AMENDED COMPLAINT

I. JURISDICTION & VENUE

- 1 THIS IS A CIVIL ACTION AUTHORIZED BY 42 USC SECTION 1983, 1985, 1986 & 1997 TO REDRESS THE DEPRIVATION/VIOLATION UNDER COLOR OF STATE LAW, RIGHTS SECURED BY THE CONSTITUTION OF THE UNITED STATES. THE COURT HAS JURISDICTION UNDER 28 USC SECTION(S) 1331 1343 (a)(3) & 28 USC § 1407 MULTIDISTRICT LITIGATION
- 2 PLAINTIFF SEEKS DECLARATORY RELIEF PURSUANT TO 28 USC SECTION(S) 2201 & 2202. PLAINTIFF'S CLAIMS FOR INJUNCTIVE RELIEF ARE AUTHORIZED UNDER 28 USC SECTION(S) 2283 & 2284 AND RULE #65 OF THE FED. R. CIV. P.
- 3 IN THE UNITED STATES DISTRICT COURT(S) FOR THE EASTERN & MIDDLE DISTRICTS ARE APPROPRIATE VENUE(S) UNDER 28 USC § 1407 PANEL ON MULTIDISTRICT LITIGATION 28 USC SECTION 1331 (b) (2) BECAUSE THEY ARE WHERE EVENTS GIVEN RISE TO THESE CLAIMS OCCURRED.

II. PLAINTIFF

- 4 MARCELLUS B. JONES, (PLAINTIFF) IS &/OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A PRISONER OF THE STATE OF PENNSYLVANIA IN THE CUSTODY OF THE PENNSYLVANIA DEPARTMENT OF CORRECTIONS. HE IS CURRENTLY CONFINED IN THE STATE CORRECTIONAL INSTITUTION @ RETREAT (5001-RIT), IN LUZERNE COUNTY PA.

III. DEFENDANTS

5. JOHN WETZEL (DEFENDANT) IS THE SECRETARY OF THE PENNSYLVANIA DEPARTMENT OF CORRECTIONS (PaDOC). HE IS RESPONSIBLE FOR THE OVERALL OVERSIGHT, OPERATION & ADMINISTRATION OF THE COMMONWEALTH'S CORRECTIONAL SYSTEM. HE RECEIVES REGULAR REPORTS REGARDING ALL PRISONS IN THE STATE & HAS BEEN ADVISED OF CONSTITUTIONAL VIOLATIONS BEING IMPLEMENTED STATEWIDE. DEFENDANT JOHN WETZEL HAS USED HIS EXCLUSIVE AUTHORITY TO AUTHORIZE, CONSENT & OR ENFORCE PROCEDURES, POLICIES, RULES & MANDATES THAT BARELY TRESPASS PRISONERS CONSTITUTIONAL RIGHTS.

6. DEFENDANT / TORT FEASOR, JOSEPH "FULGINI", IS & WAS @ ALL TIMES MENTIONED HEREIN A LAWYER IN THE PaDOC'S OFFICE OF CHIEF COUNSEL AS SUCH FULGINI HAD FIRST-HAND EXCLUSIVE KNOWLEDGE/INSIGHT OF HOW, WHAT, WHY & WHICH POLICIES, CUSTOMS, PROCEDURES & PRACTICES VIOLATE PRISONERS CONSTITUTIONAL RIGHTS. THEREFORE FULGINI WAS A LITIGANT & HAD ACTUAL NOTICE OF THE FACT THAT THE PaDOC WAS USING CUSTOMS PROCEDURES & PRACTICES THAT VIOLATED THE CONSTITUTIONAL RIGHTS OF PRISONERS YET, HE ACTED WITH EXTREME DELIBERATE INDIFFERENCE BY ALLOWING SAID VIOLATIONS TO CONTINUE.

7. DEFENDANT / TORT FEASOR, ROBIN "LEWIS", IS & WAS @ ALL TIMES MENTIONED HEREIN A CHIEF HEARING EXAMINER FOR THE PaDOC. AS SUCH LEWIS - WHO IS AN ATTORNEY - HAS SUPERVISORY/EXCLUSIVE AUTHORITY / OVERSIGHT ABILITIES TO ENSURE THAT PRISONERS RIGHTS UNDER THE UNITED STATES CONSTITUTION ARE NOT VIOLATED WHEN THEY PARTICIPATE IN PaDOC MISCONDUCT HEARINGS.

8. DEFENDANT / TORT FEASOR, TABB "BICKELL", IS PRESENTLY EMPLOYED WITH THE PaDOC AS THE CENTRAL REGIONAL DEPUTY SECRETARY. HE IS RESPONSIBLE FOR SUPERVISING STATE CORRECTIONAL FACILITIES IN THE CENTRAL REGION. HOWEVER, BICKELL'S PAST EMPLOYMENT WITHIN THE PaDOC WAS AS A SUPERINTENDANT OF SCI HUNTINGDON.

9. DEFENDANT / TORT FEASOR, MICHAEL "WERNERWICZ", IS PRESENTLY EMPLOYED WITH THE PaDOC AS THE EASTERN REGIONAL DEPUTY SECRETARY. HE IS RESPONSIBLE FOR SUPERVISING STATE CORRECTIONAL FACILITIES IN THE EASTERN REGION. HOWEVER, WERNERWICZ'S PAST EMPLOYMENT WITHIN THE PaDOC WAS AS A SUPERINTENDANT OF SCI (GRATERFORD).

10. DEFENDANT / TORT FEASOR MARY "CANINO" WAS EMPLOYED @ ALL TIMES MENTIONED & RELEVANT HEREIN A PaDOC MISCONDUCT HEARING EXAMINER @ SCI (GRATERFORD).

11. DEFENDANT/TORT FEASOR, AMY "HIMES", IS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A PA DOC MISCONDUCT HEARING EXAMINER @ S.C.T HUNTINGDON OR S.C.T SMITHFIELD

12. DEFENDANT/TORT FEASOR, ROBERT "RICK", IS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A MISCONDUCT HEARING EXAMINER ("H.E.X.") @ S.C.T- RETREAT

13. DEFENDANT/TORT FEASOR, SHARON "LEONIS", WAS EMPLOYED @ ALL TIMES MENTIONED OR RELEVANT HEREIN PA DOC MISCONDUCT HEARING EXAMINER (H.E.X) @ S.C.T- MATHANAY

14. DEFENDANT/TORT FEASOR, CHARLES "MC COY", IS & OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A CORRECTIONS OFFICER WITH THE RANK OF LEVEL-#3 @ S.C.T- HUNTINGDON

15. DEFENDANT/TORT FEASOR, KENNETH "BOAL", IS & OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A CORRECTIONS OFFICER WITH THE RANK OF LEVEL-1 @ S.C.T- HUNTINGDON

16. DEFENDANT/TORT FEASOR, JOSHUA "BUCHANAN", IS & OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A CORRECTIONS OFFICER WITH THE RANK OF LEVEL-1 @ S.C.T- HUNTINGDON

17. DEFENDANT/TORT FEASOR, REX "WEATZ" IS & OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A CORRECTIONS OFFICER WITH THE RANK OF LEVEL-1 @ S.C.T- HUNTINGDON

18. DEFENDANT/TORT FEASOR, JON "RODERICK" IS & OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A CORRECTIONS OFFICER WITH THE RANK OF LEVEL-1 @ S.C.T- HUNTINGDON

19. DEFENDANT/TORT FEASOR, NOAH "GROVE" IS & OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A CORRECTIONS OFFICER WITH THE RANK OF LEVEL-1 @ S.C.T- HUNTINGDON

20. DEFENDANT/TORT FEASOR, "MAINELLO" IS & OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A CORRECTIONS OFFICER WITH THE RANK OF LEVEL-1 @ S.C.T- HUNTINGDON

21. DEFENDANT/TORT FEASOR "CLOSSING" IS & OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A CORRECTIONS OFFICER WITH THE RANK OF LEVEL-1 @ S.C.T- HUNTINGDON

22. DEFENDANT/TORT FEASOR "WILLINGHAM" IS & OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A CORRECTIONS OFFICER WITH THE RANK OF LEVEL-1 @ S.C.T- MATHANAY

23. DEFENDANT/TORT FEASOR "WISHLINSKY(?)" IS & OR WAS @ ALL TIMES MENTIONED OR RELEVANT HEREIN A CORRECTIONS OFFICER WITH THE RANK OF LEVEL-1 @ S.C.T- MATHANAY

24. EACH DEFENDANT IS BEING SUED INDIVIDUALLY & IN HIS OR HER OFFICIAL @ CAPACITY @ ALL TIMES MENTIONED IN THIS COMPLAINT EACH DEFENDANT/TORT FEASOR UNDER COLOR OF STATE LAW

IV. COMPLAINT

MARCELLUS & "JONES" PLAINTIFF HEREBY COMPLAINS AGAINST THE DEFENDANTS/TORT FEASORS CAPTIONED ABOVE:

* * * * * NOTICE

25. ALL DEFENDANTS/TORT FEASORS MENTIONED FOREGOINGLY - PARAGRAPHS # MEET ANY & ALL SET CRITERIA & DEFINITIONS OF "TORT FEASORS" & "LOCAL AGENCIES" IN ACCORDANCE WITH THE PENNSYLVANIA POLITICAL SUBDIVISION TORT CLAIMS ACT ~~42 P.A.C.S.A § 8501 ET SEQ.~~ MOREOVER THE DEFENDANTS ARE ALSO LIABLE UNDER PENNSYLVANIA RULES OF CIVIL PROCEDURE # 1007

26. THE DEFENDANTS MENTIONED FOREGOINGLY AS TORT FEASORS MR. JONES AVERS THAT CLAIMS OF "WILLFUL MISCONDUCT" PURSUANT TO 42 P.A.C.S.A § 8550 ARE CURRENTLY BEING FILED AGAINST EACH OF THE TORT FEASORS IN THEIR "INDIVIDUAL CAPACITIES" THROUGHOUT THIS CIVIL ACTION. AS A RESULT NONE OF THE TORT FEASORS ARE ELIGIBLE TO RECEIVE ANY IMMUNITIES UNDER THE PENNSYLVANIA POLITICAL SUBDIVISION TORT CLAIMS ACT BECAUSE MR. JONES ASSERTS IN THIS COMPLAINT THAT EACH TORT FEASOR WAS MOTIVATED BY ACTUAL MALEICE & WILLFUL MISCONDUCT & THAT EACH TORT FEASORS' ACTIONS EXPLAINED IN VIVID AFTERWARDS HEREIN WERE TAKEN IN ORDER TO BRING ABOUT THE RESULTS & INJURIES DESIRED BY TORT FEASORS (INTENTIONAL TORT(S)) & (CONVERSION TORT(S)) THAT FOLLOWED. SEE: ATTACHED 42 P.A.C.S.A § 8550; 42 P.A.C.S.A § 8545; CORNWELL COMPANIES V. BUREAU OF NEW MORGAN 512 F. Supp. 2d 238 2007 U.S. Dist. LEXIS 39646; PALMER V. BARTOSH 959 A.2d 508

27. MOREOVER MR. JONES ALSO AVERS THAT DURING THE INCIDENTS IN WHICH THE TORT FEASORS COMMITTED WILLFUL MISCONDUCT - EXPLAINED BELOW - AGAINST MR. JONES EACH TORT FEASOR WAS ACTING OUTSIDE OF THE OFFICE OR DUTIES OF THE EMPLOYER WHILE PURPORTING TO BE ACTING UNDER COLOR OF LAW OR DEPARTMENT OF CORRECTIONS POLICY. ANY LEGAL ASSISTANCE PROVIDED TO THESE TORT FEASORS BY THEIR RESPECTIVE EMPLOYING AGENCIES IS A STATUTORY VIOLATION UNDER THE PENNSYLVANIA POLITICAL SUBDIVISION TORT CLAIMS ACT @ 42 P.A.C.S.A § 8547 LEGAL ASSISTANCE & MAY RISE TO A FUTURE CLAIMS PUNISHABLE BY LAW.

V.

KNOWN ILLEGAL ACTIVITIES BY THE CHIEF HEARING
EXAMINER'S OFFICE

28. THE PENNSYLVANIA DEPARTMENT OF CORRECTIONS IS DELIBERATELY ENGAGING IN STATE & FEDERAL CRIMINAL CODE / STATUTES / LAWS VIOLATIONS

29. 1) FOR THE PAST 20 (TWENTY) YEARS THE FOLLOWING HEARING EXAMINERS ^{ROBERT RICH} ~~MICHAEL FARRON~~
50C°1 - RETREAT - W.H.A. RETREAT ~~BERT CROSS~~ ~~SOUL-FATIGUE~~ MARY CANINO
50C°1-GRATERFORD; SHARON LWAIS 50C°1-MAHANOY; AMY HINES 50C°-HUNT & SMITHFIELD
 & OTHER HEARING EXAMINERS ARE / HAVE BEEN ILLEGALLY HOLDING MISCONDUCT HEARINGS PASSING DOWN SANCTIONS - FINES - CRIMINAL CHARGES - LOSS OF STATUS - CUSTODY LEVELS - PAROLE DENIALS ETC. ETC. WITHOUT THE MANDATORY NOTARY PUBLIC COMMISSION & SURETY BOND

30. 2) BY DELIBERATELY & ILLEGALLY PERFORMING NOTARIAL ACTS i.e. ADMINISTERING OATHS OR AFFIRMATIONS / READING WITNESS TESTIMONY INTO EVIDENCE / TAKING DEPOSITIONS ETC. THESE ARE CLEAR VIOLATIONS OF THE FOLLOWING:

57 P.S. § 162 - POWER TO ADMINISTER OATHS & AFFIRMATIONS
42 Pa. C.S. § 9550 - WILLFUL MISCONDUCT
18 Pa. C.S. § 4911 - TAMPERING WITH PUBLIC RECORDS OR INFORMATION
18 Pa. C.S. § 4913 - IMPERSONATING A NOTARY PUBLIC OR HOLDER OF A PROFESSIONAL LICENSE
18 Pa. C.S. § 4904 - UNSWORN FALSIFICATION TO AUTHORITIES

FURTHERMORE . . . THE STATUTORY LAW @ 57 P.S. § 149 - ELIGIBILITY & 57 P.S. § 168 - REJECTION OF APPLICATION REMOVAL . . . BUT ALSO SEE . . . 57 P.S. § 151(b) WHICH STATES (IN PERTINENT PART) : "(b) FOR ISSUING TO ANY APPLICANT A COMMISSION AS A NOTARY PUBLIC THE SECRETARY OF THE COMMONWEALTH SHALL BE SATISFIED THAT THE APPLICANT IS OF GOOD MORAL CHARACTER (EMPHASIS ADDED)

31. 3) THIS COMPLAINT IS REQUESTING THAT EACH & ALL ILLEGAL MISCONDUCTS THAT WERE EVER ISSUED TO ME BY A HEARING EXAMINER WHO WAS NOT LEGALLY AUTHORIZED PURSUANT TO A NOTARY PUBLIC COMMISSION & SURETY BOND BE EXPUNGED FROM MY PRISON FILES

32. 4) THE READER OF THIS TIMELY FILED PRISONER COMPLAINT MUST READ ACT OF 1953 AUG. 21ST
PL 1383 & 57 P.S. § 154 NOTARY PUBLIC ACT

33° 5) NONE OF THE HEARING EXAMINERS MENTIONED ABOVE - ESPECIALLY MARY CANNO - EVER RENEWED THEIR NOTARY PUBLIC COMMISSION'S PURSUANT TO 57 P.S. § 152 - APPLICATION FOR RE-APPOINTMENT AMENDED BY THE ACT OF 2002 DECEMBER 11 1269# 151 § 4

34. ACTUAL CONSTRUCTIVE NOTICE TO VALIDATE FRAUD

- a) A NOTARY PUBLIC CANNOT IMPOSE ANY FORM OF PUNISHMENT OR FINE
- b) A HEARING EXAMINER WITHOUT A NOTARY PUBLIC COMMISSION & INSURANCE BOND CANNOT ADMINISTER AN OATH OR MAKE AN ACKNOWLEDGEMENT IN THE STATE OF PENNSYLVANIA & IF HE/SHE DOES ITS "FRAUD"

35° NOTE: THERE IS SUPPOSED TO BE A NOTARY PUBLIC @ EVERY MISCONDUCT HEARING HELD IN THE PENNSYLVANIA DEPARTMENT OF CORRECTIONS PRISONS IN ORDER TO ADMINISTER AN OATH FROM BOTH THE PRISONER OR THE REPORTING CORRECTIONAL OFFICER & SUBJECT ALL EVIDENCE (DC-141) & TESTIMONIES TO PENALTIES OF 18 P.A.C.S. § 4904

"THE CORRECTIONAL OFFICERS UNION WILL NOT ALLOW ITS EMPLOYEES TO BE SWORN UNDER OATH OR MADE SUBJECT TO PENALTIES OF PERJURY & OR CRIMINAL PROSECUTION WHEN MAKING FALSE STATEMENTS DURING A MISCONDUCT HEARING THIS PROVIDING CORRECTIONAL OFFICERS A GREEN-LIGHT TO LIE."

36. NOTICE

THE DC-141 MISCONDUCT REPORT IS NEVER SWORN INTO EVIDENCE NOR UNDER OATH AS LONG AS THE DC-141 "RE THE REPORTING OFFICER'S TESTIMONY" IS NOT SWORN UNDER OATH & MADE SUBJECT TO THE PENALTIES OF PERJURY PURSUANT TO 18 P.A.C.S. § 4904 ALL PRISONER'S CURRENTLY HELD IN ANY PENNSYLVANIA DEPARTMENT OF CORRECTIONS PRISON'S RESTRICTED HOUSING UNITS BY THE NAME(S) HEREIN DEFENDANTS SHOULD BE RELEASED FROM SAID R.H.U STATUS & ALL MISCONDUCTS EXONERATED FROM THEIR PRISON FILES

VIth ACKNOWLEDGMENTS

- 37° a) THE INMATE IS THE PERSON NAMED RECHARGED IN A DC-141 MISCONDUCT REPORT,
- 38° b) THE CORRECTIONAL OFFICER IS THE PERSON WHO WRITES THE DC-141 MISCONDUCT REPORT AGAINST AN INMATE

39° c) THE HEARING EXAMINERS ILLEGALLY ADMINISTER OATHS & AFFIRMATIONS ADMIT EVIDENCE READS WITNESS TESTIMONIES INTO EVIDENCE TAKES THE EVIDENCE OR RENDERS A FINDING OF FACTS OR GIVES SANCTIONS WITHOUT POSSESSING THE MANDATORY NECESSARY NOTARY COMMISSION OR THE SURETY BOND MAKING THE ENTIRE PROCESS ILLEGAL;

40° d) FRAUD CONSIST OF AN INTENTIONAL PERVERSION OF THE TRUTH FOR THE PURPOSES OF INDUCING ANOTHER IN RELIANCE UPON IT TO PART WITH SOME VALUABLE THING BELONGING TO HIM/HER OR SURRENDER A LEGAL RIGHT. A FALSE REPRESENTATION OF A MATTER OF "FACT" WHETHER BY WORDS OR BY CONDUCT, BY FALSE OR MISLEADING ALLEGATIONS, OR BY CONCEALMENT OF THAT WHICH SHOULD HAVE BEEN DISCLOSED, WHICH DECEIVES & IS INTENDED TO DECEIVE ANOTHER SO THAT HE/SHE SHALL ACT UPON IT TO HIS/HER LEGAL INJURY. ANY KIND OF ARTIFICE EMPLOYED BY ONE PERSON TO DECEIVE ANOTHER. ELEMENTS FOR A CAUSE OF ACTION FOR FRAUD INCLUDE: FALSE REPRESENTATION OF A PRESENT OR PAST FACT MADE BY THE DEFENDANTS, ACTION IN RELIANCE THEREUPON BY PLAINTIFF & DAMAGE RESULTING TO PLAINTIFF FROM SUCH MISREPRESENTATION BLACK'S LAW DICTIONARY

41° e) CONSTRUCTIVE FRAUD ANY ACT OF COMMISSION OR OMISSION CONTRARY TO "LEGAL," OR EQUITABLE DUTY TRUST OR CONFIDENCE JUSTLY REPOSED WHICH CONTRARY TO GOOD CONSCIENCE & OPERATES TO THE INJURY OF ANOTHER OR AS OTHERWISE DEFINED IT IS AN ACT STATEMENT OR OMISSION WHICH IF GENERALLY PERMITTED WOULD BE PRESUMED TO PUBLIC WELFARE & YET MAY HAVE BEEN UNCONNECTED WITH ANY SELFISH OR EVIL DESIGN.

VII. LEGAL MAXIM

"VERITAS NIHIL VERETUR NISI ABSCONDI"-TRUTH FEARS NOTHING BUT CONCEALMENT

"VOLENTI NON FIT INJURIA" PERSON SILENT DUE TO IMPLIED CONTRACT BECOMES INJURED BY THE START OF PERFORMANCE OR PRESUMED VIABILITY OF DUTY THROUGH CONTRACT WITHOUT EXPRESSED CONSENT FROM THE PARTY OR PERSON

"PERIUS ACTIO NON Datur NON DAMNIFICA"- AN ACTION IS NOT GIVEN TO ONE CAN SUE IN THE NAME OF ANOTHER

VIII NOTARY PUBLIC FEE SCHEDULE

EXECUTING AFFIDAVITS (NO MATTER HOW MANY SIGNATURES) \$ 5.00
EXECUTING ACKNOWLEDGMENTS \$ 5.00
IN EXECUTING ACKNOWLEDGMENTS EACH ADDITIONAL NAME \$ 2.00
EXECUTING CERTIFICATES (PER CERTIFIED COPY) \$ 5.00
ADMINISTERING OATHS (PER INDIVIDUAL TAKING AN OATH) \$ 5.00
TAKING DEPOSITIONS (PER PAGE) \$ 3.00
EXECUTING VERIFICATIONS \$ 5.00
EXECUTING PROTEST \$ 3.00 (PER PAGE)

42^o NOTE: THIS IS ONE OF THE MAIN REASONS THE NAMED HEREIN DEFENDANTS ARE DELIBERATELY COMMITTING STATE & FEDERAL CRIMINAL CODE VIOLATIONS

43^o b) 57 P.S. § 154 "OATH OF OFFICE BOND REQUIREMENT":

EVERY NOTARY PUBLIC SHALL TAKE OR SUBSCRIBE TO THE "OATH OF OFFICE" & SHALL GIVE A SURETY BOND PAYABLE TO THE COMMONWEALTH OF PENNSYLVANIA IN THE AMOUNT OF "TEN THOUSAND DOLLARS" \$ 10,000 WHICH BOND SHALL AFTER BEING RECORDED BE APPRAISED BY & FILED WITH THE "SECRETARY OF THE COMMONWEALTH".

44^o THE COMMISSION OF ANY NOTARY HEREAFTER APPOINTED WHO SHALL FOR FORTY FIVE (45) DAYS AFTER THE BEGINNING OF THE TERM NEGLECT TO GIVE A BOND & CAUSE THE BOND & THE COMMISSION & OATH TO BE RECORDED AS ABOVE DIRECTED SHALL BE NULL & VOID.

7) 57 P.S. § 155 REGISTRATION OF NOTARY'S SIGNATURE FEE:

1 Pa. P.S. § 2301 (c) SEE § 9 (b) (2) of ACT 1978 OCT. 4th P.L. 909 # 173

45^o a) THE OFFICIAL SIGNATURE OF EACH NOTARY PUBLIC SHALL BE REGISTERED IN THE "NOTARY REGISTER" PROVIDED FOR SUCH PURPOSE IN THE PROTHONOTARY'S OFFICE (45) DAYS AFTER APPOINTMENT OR "RE-APPOINTMENT" & IN ANY COUNTY TO WHICH THE NOTARY MAY SUBSEQUENTLY MOVE THE NOTARY WITHIN THIRTY (30) DAYS THEREAFTER IN COUNTIES OF THE SECOND CLASS SUCH SIGNATURE SHALL ALSO BE REGISTERED IN THE CLERK OF COURTS OFFICE WITHIN SAID PERIOD.

X. HISTORY

46° ACT 1953-373 P.L. 1323 § 8 APPROVED AUGUST 21st 1953 EFFECTIVE SEPTEMBER 1st, 1953
 ACT-2002-151 (H.B. 851) P.L. 128 § 4 APPROVED DECEMBER 9th, 2002 EFFECTIVE JULY 1st, 2003

47° 57 P.S. § 162 "POWER TO ADMINISTER OATHS OR AFFIRMATIONS."

47° a) NOTARY SHALL HAVE POWER TO ADMINISTER "OATHS OR AFFIRMATIONS, CERTIFY COPIES & TAKE DEPOSITIONS AFFIDAVITS VERIFICATIONS UPON OATH OR AFFIRMATION" ACCORDING TO LAW IN ALL MATTERS, "INCIDENTAL TO THE EXERCISE OF THEIR NOTARIAL OFFICE."

48. (b) ANY PERSON WHO SHALL BE "CONVICTED OF WILLFULLY & KNOWINGLY MADE OR TAKEN A "FALSE OATH", "AFFIRMATION", "POSITION", "AFFIDAVIT", "CERTIFICATION", OR "ACKNOWLEDGMENT", BEFORE ANY NOTARY IN ANY MATTER WITHIN THEIR OFFICIAL DUTIES SHALL BE "GUILTY" OF "PERJURY" & SHALL BE SUBJECT TO PENALTIES SET FORTH IN 18 Pa.C.S. § 4902 (RELATING TO PERJURY)

49° * * * * * SEE PENDING STATE CIVIL LAWSUITS "NEAL L. PATTON VS MARY CANINO & PATRICK CURRAN", CIVIL ACTION # 2012-06891 & "WILLIAM CURTIS VS. MARY CANINO", CIVIL ACTION # 09-12782 * * * * *

X. BACKGROUND

50° MR. JONES HAS FILED THIS LAWSUIT TO STOP Pa.D.O.C. ADMINISTRATORS FROM VIOLATING HIS RIGHTS UNDER THE FIRST EIGHTH & FOURTEENTH AMENDMENTS TO THE UNITED STATES CONSTITUTION. THE DEFENDANTS/TORT FEASORS HAVE KNOWINGLY ENGAGED A POLICY TO ARBITRARILY MALICIOUSLY INTENTIONALLY & DELIBERATELY DENY MR. JONES HIS RIGHTS TO FAIR UNBIASED & IMPARTIAL MISCONDUCT/DISCIPLINARY HEARINGS

51° DEFENDANT/TORT FEASOR JOHN WETZEL HAS ISSUED A ALL ENCOMPASSING MANDATE THAT NO PRISONER CAN CHALLENGE THE UNLAWFUL/ILLEGAL NATURE OF THE MISCONDUCT/DISCIPLINARY PROCESS EVEN THOUGH HE IS FULLY AWARE THAT THE MISCONDUCT/DISCIPLINARY PROCESS' THROUGH OUT THE Pa.D.O.C ARE ILLEGAL. MR. JONES HAS BEEN A REPEATED VICTIM OF THESE UNLAWFUL/ILLEGAL MISCONDUCT/DISCIPLINARY HEARINGS ON MORE THAN THE FOLLOWING OCCASIONS:

60° MAR. 11, 2013th; APR. 3, 2013th; JUNE 13, 2013th; OCT. 23, 2013th; AUG. 26, 2014th; NOV. 7, 2014th; & DEC. 6, 2014

61. ~~THE FUNDAMENTAL PRINCIPLES THAT WERE WELL DOCUMENTED IN THE UNITED STATES DEPARTMENT OF JUSTICE'S SCATHING REPORT ON FA D.O.C'S R.H.U.~~
 IT IS CLEARLY THE CASE THAT MR. JONES HAS BEEN A VICTIM OF THESE INHUMANE CONDITIONS & HAS SUFFERED WORSENED MENTAL - E.G. TWO(2) HOSPITALIZATIONS IN LESS THAN THIRTY(30) DAYS FOR ATTEMPTED SUICIDE - & PHYSICAL HEALTH STATES BECOME AFTER HE WAS SUBJECTED TO THESE ILLEGAL/UNLAWFUL MISCONDUCT/DISCIPLINARY PROCESS. HE WAS PLACED INTO THE RESTRICTED HOUSING UNIT ("R.H.U.") WITH NO CHANCE TO REMEDY THROUGH AN APPEALS PROCESS THE ILLEGAL/UNCONSTITUTIONAL/PREJUDICED SANCTIONS THAT WERE IMPOSED AGAINST HIM

62. MR. JONES HAS BEEN CONFINED IN THE R.H.U. FOR 6(SIX) YEARS NOW & HAS NOT HAD ANY ACCESS TO SOCIAL REHABILITATIVE EDUCATIONAL RELIGIOUS NOR THERAPEUTIC PROGRAMS. NEITHER HAS HE BEEN ALLOWED TO WORK IN THE LAST 6(SIX) YEARS. MR. JONES HAS BEEN DIAGNOSED WITH PHYSICAL ILLNESS' RESULTING FROM & OR EXCERBATED BY PROLONGED R.H.U. CONFINEMENT UNDER - INTER ALIA - CRUEL & UNUSUAL CONDITIONS

63. THROUGH THE DEFENDANTS/TORT FEASORS ILLEGAL MISCONDUCT HEARINGS MR. JONES HAS BEEN SANCTIONED TO OVER 30 (THIRTY) YEARS OF CONFINEMENT IN THE R.H.U. FOR FALSE ERRONEOUS & FRAUDULENT MISCONDUCTS MR. JONES' R.H.U. CONFINEMENT HAS DEPRIVED HIM CONTACT WITH FAMILY DENIALS OF MEALS EXERCISE & SHOWERS HE HAS NOT BEEN ABLE TO MAKE ANY PERSONAL OR LEGAL PHONE CALLS IN THE PAST 6(SIX) YEARS - EVEN THOUGH HE WAS THE SUBJECT OF OVER 6(SIX) PENDING CASES IN VARIOUS COURTS

64. DEFENDANT/TORT FEASOR JOHN WETZEL HAS BEEN GIVEN MULTIPLE NOTICES THAT THE CURRENT CUSTOM/PRACTICE/PROCEDURES FOR PRISONER MISCONDUCT/DISCIPLINARY HEARINGS ARE UNCONSTITUTIONAL. THESE NOTIFICATIONS WERE NOT ONLY MADE BY MR. JONES @ HIS VIDEO RECORDED MISCONDUCT HEARINGS - WHERE MR. JONES WAS DENIED THE CHANCE TO ATTEND/PARTICIPATE IN THE MISCONDUCT/DISCIPLINARY PROCESS BECAUSE MR. JONES INITIATED IT IS RIGHT TO BE SWORN INTO THE HEARING BY SOMEONE WITH VALID CREDENTIALS TO TAKE SWORN TESTIMONY - ALSO SEE THE ATTACHED COURT ORDER FROM COURT OF COMMON PLEAS JUDGE DEL RICCI

65. IT IS INTERESTING TO NOTE THAT DEFENDANT/TORT FEASOR JOHN WETZEL AFTER BEING GIVEN MULTIPLE ACTUAL NOTICES WETZEL ISSUED A RETALIATORY POLICY @ DC ADM 801 WHICH DENIES PRISONERS WITHIN THE FA D.O.C ANY RECOURSE TO CHALLENGE THE FAIRNESS PARTIALITY &/OR PREJUDICE @ THEIR MISCONDUCT/DISCIPLINARY HEARING

66. IT IS CLEARLY THE CASE THAT ALL OF THE OTHER DEFENDANTS/TORT FEASORS NAMED IN THIS COMPLAINT - ESPECIALLY JOSEPH FULGINITI - GAVE FULL/DETAILED REPORTS TO WETZEL THAT BEEN THE CASE ALL OF THESE DEFENDANTS/TORT FEASORS NAMED HEREIN ENTERED INTO AN AGREEMENT TO CARRY OUT THE ILLEGAL/UNLAWFUL MISCONDUCT/DISCIPLINARY HEARINGS

*10 FACTS

DENIAL OF ANY & ALL DUE PROCESS

67. WHILE CONFINED @ SEC 1-HUNT MR. JONES WAS ISSUED OVER 50 (FIFTY) MISCONDUCT REPORTS THRU OUT 2013.

68. FROM JULY 2013 UNTIL JAN 2014 MR. JONES WAS NOT ALLOWED TO ATTEND ANY OF THE SCHEDULED MISCONDUCT/DISCIPLINARY HEARINGS DEFENDANTS/TORT FEASORS AMY HINES, ROBIN LEWIS, BRIAN YOUNG & KEITH KYLE ENTERED INTO AGREEMENT NOT TO LET MR. JONES ATTEND & OR PARTICIPATE IN AT LEAST 40 (FORTY) MISCONDUCT/DISCIPLINARY HEARINGS THAT WERE SCHEDULED DURING THIS PERIOD.

69. AFTER A PRISONER IS "REPORTED", TO HAVE REFUSED TO ATTEND A SCHEDULED MISCONDUCT HEARING PA DOC POLICY DC ADM 801 STRICTLY FORBIDS PRISONERS ANY OPPORTUNITY TO APPEAL THE RESULTS OF THE MISCONDUCT HEARING WHETHER SAID REPORT OF REFUSAL IS FABRICATED OR NOT.

70. EVEN THOUGH MR. JONES WAS REPORTED AS REFUSING TO ATTEND OVER 40 (FORTY) MISCONDUCT/DISCIPLINARY HEARINGS MR. JONES STILL FILED 40 (FORTY) PLUS MISCONDUCT APPEALS/NOTIFICATIONS / GRIEVANCES - COMPLAINTS TO DEFENDANTS/TORT FEASORS TABB BICKELL & ROBIN LEWIS EXPLAIN IN DETAIL HOW HE WAS BEING REPEATEDLY REFUSED THE OPPORTUNITY TO ATTEND HIS SCHEDULED MISCONDUCT HEARINGS ALL OF MR. JONES APPEAL/NOTICES/COMPLAINTS WERE DENIED BY DEFENDANTS/TORT FEASORS BICKELL & LEWIS.

71. ON OCTO 15, 2013 MR. JONES' LEGAL DOCUMENTS WERE TAKEN FROM HIS CELL-GD 1012 AS HE ATTENDED A MISCONDUCT/DISCIPLINARY HEARING CONDUCTED BY DEFENDANT/TORT FEASOR AMY HINES PRIOR TO STARTING THE MISCONDUCT HEARING HINES RECEIVED A PHONE CALL FROM CHARLES MCCOY AFTER THE MISCONDUCT HEARING WAS OVER HINES WOULD NOT ALLOW MR. JONES TO LEAVE THE HEARING ROOM BECAUSE OF HINES' REFUSAL TO LET HIM LEAVE MR. JONES ASKED HER "WHY ARE YOU STALLING" TO WHICH HINES REPLIED "YOU'LL WAIT UNTIL THEY'RE DONE & PERSONALLY I HOPE THEY TRASH ALL OF YOUR SNITCH PAPERWORK" MR. JONES WAS HELD IN THE HEARING ROOM FOR 30-45 ADDITIONAL MINUTES & WHEN HE FINALLY RETURNED TO GD 1012 CELL HIS LEGAL WORK & EVIDENCE AFFIDAVITS INTER ALIA WERE GONE & HE SUFFERED ACTUAL INJURIES IN REFERENCE TO 3:12-CV-0437 & 4:13-CV-1400.

72. MR. JONES WAS TOLD BY VARIOUS PRISONERS IN THE CELLS ADJACENT TO GD 1012 THAT 6(SIX) C.O'S : BOKL, MALLORY, REDFERN, GROVE, WERTZ & CLOSSING WERE LEAD BY LIEUTENANT CHARLES MCWY AS THEY RANSACKED MR. JONES' CELL. MR. JONES THEN SPOKE TO CHARLES MCWY WHO SAID "ME & MY GUYS RAIDED YOUR CELL NEXT TIME DON'T LEAVE THOSE SNITCH LETTERS OR AFFIDAVITS JUST LYING AROUND".

73. @ NO TIME DID ANY HAMES POSSESS A NOTARY COMMISSION AS MANDATED PENNSYLVANIA LAW IN ORDER TO ADMINISTER OATHS OR AFFIRMATIONS. HOWEVER HAMES SWORE MR. JONES INTO THE MISCONDUCT/DISCIPLINARY PROCEEDINGS & ISSUED MR. JONES SANCTION'S.

74. ON AUG^o 26, 2014, MARY CANINO CONDUCTED MR. JONES' MISCONDUCT/DISCIPLINARY HEARING & PERFORMED THE NOTARIAL ACTS OF SWEARING MR. JONES INTO A TRIBUNAL UNDER OATH OR AFFIRMATION SWEARING MR. JONES' TESTIMONY INTO THE RECORDS OF A TRIBUNAL AS EVIDENCE. MR. JONES' MISCONDUCT HEARINGS WERE NUMEROUS & WHILE @ 9^oC^o T CATERFORD CANINO PRESIDED OVER ALL OF THEM ON THESE DATES ALSO AUG^o 8 & OCT^o 10 OF 2014 INTER ALIA THE MISCONDUCT HEARINGS ATTENDED BY MR. JONES BEFORE CANINO WERE HELD UNDER THE PRESUMPTION THAT CANINO POSSESSED THE LAWFULLY-REQUIRED NOTARY PUBLIC COMMISSION TO PERFORM THE NOTARIAL ACTS OF "ADMINISTERING OATHS OR AFFIRMATIONS". HOWEVER CANINO DID NOT POSSESS THE REQUIRED NOTARY PUBLIC COMMISSION WHICH IS REQUIRED TO PERFORM NOTARIAL ACTS RESULTING IN VIOLATION(S) OF NUMEROUS GENERAL ASSEMBLY ACTS OF LEGISLATION OF PENNSYLVANIA INCLUDING NUMEROUS CRIMINAL OFFENSES AS WELL AS THE PERPETRATION OF INTENTIONAL TORT/WILFUL MISCONDUCT & NUMEROUS CONSTITUTIONAL RIGHTS VIOLATIONS.

75. AS A RESULT OF THE MISCONDUCT/DISCIPLINARY HEARINGS WHICH WERE CONDUCTED PURSUANT TO CANINO'S ILLICIT ACTIVITY (DESCRIBED FOREGOINGLY) MR. JONES WAS FORCED TO SERVE MORE DISCIPLINARY SANCTION TIME IN LEVEL-5 SOLITARY CONFINEMENT.

* * * NOTICE * * *

76. ON AUG^o 29, 2016, A "NOTARY COMMISSION SEARCH" WAS CONDUCTED VIA ELECTRONIC COMMUNICATIONS AS A RESULT OF THE "NOTARY COMMISSION SEARCH". IT WAS ASCERTAINED THAT CANINO'S NOTARY COMMISSION I.D. NUMBER WAS # 1022704 WHICH HAS BEEN EXPIRED.

SINCE MARCH 9 1998 & WAS NEVER RENEWED ! ! ! . . .

77° ON THESE DATES AS WELL OCT 23, 2013, NOV 7, 2014 & DEC 16, 2014, CHANINO AGAIN CONDUCTED THE MISCONDUCT HEARING OF MR. JONES & PERFORMED THE NOTARIAL ACTS OF SWEARING MR. JONES INTO A TRIBUNAL UNDER OATH OR AFFIRMATION SWEARING MR. JONES' TESTIMONY INTO THE RECORDS OF A TRIBUNAL AS EVIDENCE. CHANINO STILL HAD/WAS NOT IN POSSESSION OF A NOTARY COMMISSION YET, SHE CHOSE TO CONTINUOUSLY PERFORM THE NOTARIAL ACTS IN DELIBERATE VIOLATION OF THE NOTARIAL PUBLIC LAW OF 1953 AS AMENDED WITH THE ACT OF 2002 DECEMBER 9 P.L. 1269 # 151 §4 & AS CRAFTED @ 57 P.S. § 162 POWER TO ADMINISTER OATHS & AFFIRMATIONS RESULTING IN THE PERPETRATION OF WILLFUL MISCONDUCT / INTENTIONAL TORT NUMEROUS CRIMINAL OFFENSES & NUMEROUS VIOLATIONS OF MR. JONES' CONSTITUTIONAL RIGHTS DURING THESE MISCONDUCT HEARINGS (MENTIONED ABOVE) MR. JONES ASKED CHANINO IF SHE HAD ANY NOTARY PUBLIC COMMISSION TO PERFORM THE NOTARIAL ACTS OF ADMINISTERING OATHS OR AFFIRMATION IN ORDER TO HAVE MR. JONES' TESTIMONY SWEORN INTO THE RECORD OF THE MISCONDUCT HEARING / TRIBUNAL. CHANINO IMMEDIATELY BECAME HOSTILE & BELLIGERENT WITH MR. JONES & ORDERED THAT MR. JONES BE REMOVED FROM THE MISCONDUCT HEARING. CHANINO THEN SANCTIONED MR. JONES TO ADD SOLITARY CONFINEMENT IN LEVEL-5 RESTRICTED HOUSING UNIT - "R.H.U.".

78° ON THESE DATES MAY 22, 2014, AUG 6, 2014, AUG 14, 2014, AUG 27, 2014, & SEPT 10, 2014 - INTER ALIA - MR. JONES ATTENDED MISCONDUCT / DISCIPLINARY HEARINGS BEFORE SCOL-MAHANDY HEARING EXAMINER ("H.E.X") SHARON LUVIS DURING EACH OF THE ABOVE HEARINGS MR. JONES TRIED TO INVOKE HIS RIGHT TO HAVE PROPERLY CREDENTIALED H.E.X ADMINISTER HIS OATH OR AFFIRMATION EVERY TIME LUVIS DENIED MR. JONES THIS RIGHT OR ORDERED THAT HE BE REMOVED & THAT HIS HEARING BE CONCLUDED & THAT HE BE SANCTIONED IN ABSENTIA.

* * * NOTICE * * *

79° @ NO TIME DURING THE FOREGOING MISCONDUCT / DISCIPLINARY HEARINGS DID DEFENDANT / TORT FEASOR LUVIS POSSESS A VALID NOTARY COMMISSION WITH WHICH TO SWEAR MR. JONES' TESTIMONIES INTO EVIDENCE @ SAID MISCONDUCT / DISCIPLINARY HEARINGS.

80° ON VARIOUS INCLUDING BUT NOT LIMITED TO SEPT. 23, 2014, OCT. 1, 2014,
OCT. 23, 2014^o, NOV. 13, 2014^o, NOV. 24, 2014^o, JAN. 16, 2015^o FEB. 6, 2015 & FEB. 2015

81° ON THE FOREGOING DATES - INTER ALIA - MR. JONES WAS REFUSED THE OPPORTUNITY TO PARTICIPATE &/OR ATTEND ALL OF THE MISCONDUCT HEARINGS BEFORE H.E.X. LUQUIS & HER SUBORDINATE ESCORT STAFF - OFFICERS - WISHLINSKY & WILLINGHAM ON THE ABOVE DATES - & MANY OTHERS - NO SOC-1-MATHANAY ESCORT OFFICERS TOLD MR. JONES THAT HE WAS SCHEDULED TO ATTEND A MISCONDUCT HEARING OR IF HE DID NOT WANT TO ATTEND THE MISCONDUCT HEARINGS HE NEEDED TO SIGN A DC-141 PART 2-D WAIVER FORM WITHOUT BEING GIVEN ANY NOTICE THAT MISCONDUCT HEARINGS WERE SCHEDULED & OR TAKING PLACE MR. JONES WAS DENIED THE RIGHT UNDER UNITED STATES CONSTITUTION TO PRESENT EVIDENCE ESTABLISHING THAT NO PA D.O.C RULES VIOLATION WAS EVER COMMITTED BY HIM. HOWEVER, MR. JONES WAS CONSTANTLY FOUND GUILTY IN ABSENTIA & SANCTIONED BY H.E.X. LUQUIS EVEN THOUGH SHE STILL DID NOT HAVE A VALID NOTARY LICENSE

82° CLEARLY, DEFENDANT/TORT FEASOR LUQUIS THRU MULALY/ DE FACTO "MISCONDUCT HEARINGS" WITH HER SUBORDINATE SOC-1-MATHANAY ESCORT OFFICERS ENTERED INTO AGREEMENT TO FALSIFY DC-141 PART 2-D WAIVER FORMS IN ORDER TO COVER-UP THEIR STATE LAW OR CONSTITUTIONAL TRESPASSES WHERE MR. JONES WAS NEVER GIVEN ANY CHANCE TO SIGN SAID FORMS NOR WAS HE MADE AWARE THAT ANY MISCONDUCT HEARINGS WERE UNDERWAY .

83° ON APR. 6, 2016, MR. JONES ATTENDED A MISCONDUCT DISCIPLINARY HEARING BEFORE DEFENDANT/TORT FEASOR ROBERT RICH AT SAID MISCONDUCT HEARING MR. JONES TOLD H.E.X. RICH THAT IN ORDER TO SWEAR HIM IN H.E.X. RICH NEEDED A NOTARY LICENSE. H.E.X. RICH THEN STATED " I NEVER HEARD OF SUCH REQUIREMENT & PURSUANT TO PA D.O.C RULES I'M AUTHORIZED " SUBSEQUENTLY H.E.X. RICH DISMISSED MR. JONES' MISCONDUCT WITH OUT PREJUDICE ON MAY 5, 2016. MR. JONES AGAIN PARTICIPATED IN A MISCONDUCT HEARING BEFORE H.E.X. RICH. HOWEVER THIS TIME MR. JONES AFTER NOTIFYING H.E.X. RICH THAT HE NEEDED THE APPROPRIATE CREDENTIALS IN ORDER TO SWEAR HIM IN. MR. JONES ATTEMPTED TO PRESENT H.E.X. RICH WITH COURT ORDERS & GOVERNING LAWS WHICH DICTATES WHO IS & MORE IMPORTANTLY WHO IS NOT ALLOWED TO ADMINISTER OATHS & AFFIRMATIONS. H.E.X. RICH THEN BECAME IRATE / HOSTILE / BELLIGERENT & ORDERED THAT MR. JONES BE REMOVED FROM THE MISCONDUCT HEARING & H.E.X. RICH SUBSEQUENTLY SANCTIONED MR. JONES TO MORE TIME IN SOLITARY CONFINEMENT IN ABSENTIA .

NOTICE

84. @ NO TIME DURING ANY OF THESE MISCONDUCT/DISCIPLINARY HEARINGS DID RICH RICH POSSESS A VALID NOTARY COMMISSION WITH WHICH TO SWEAR MR. JONES' TESTIMONY INTO EVIDENCE @ HAD MISCONDUCT/DISCIPLINARY HEARINGS.

85. HOWEVER BOTH DEFENDANT/TORT FEASORS: MARY CANINO & ROBERT RICH BOLDLY ADMIT THAT THEY LACK THE NECESSARY NOTARY COMMISSION THESE ADMISSIONS WERE MADE BY THESE DEFENDANT/TORT FEASORS ON VISUAL/AUDIO VIDEO RECORDINGS WHICH HAVE BEEN SAVED FOR FORTERITY.

86. AFTER MR. JONES', "MULTIPLE NOTIFICATIONS" TO DEFENDANT/TORT FEASORS INFORMING THEM THAT WERE IN DIRECT VIOLATION OF HIS RIGHTS PER THE UNITED STATES CONSTITUTION & THE PENNSYLVANIA STATE CONSTITUTION IT WAS MR. JONES' ASSERTION OF HIS RIGHTS THAT WERE THE "MOTIVATING FORCE" BEHIND DEFENDANT/TORT FEASOR: JOHN WETZEL'S ISSUING REVISED/NEW LANGUAGE ON MAY 20, 2015 AS AN IMMEDIATE CURTAILING/DETERING MEASURE TO DIRECTLY PREVENT MR. JONES PRESENTING/EXERCISING A VALID CONSTITUTIONAL CHALLENGE @ HIS MISCONDUCT/DISCIPLINARY HEARINGS.

87. DEFENDANT/TORT FEASORS: LEWIS, FULBINI, WENERANIS, & BICKELL ARE ALL FULLY AWARE THAT PDOL SECRETARY JOHN WETZEL'S POLICY IS A DIRECT VIOLATION OF MR. JONES CONSTITUTIONAL RIGHTS. HOWEVER ALL OF THE FOREGOINGLY MENTIONED DEFENDANTS/TORT FEASORS HAVE COMMITTED ACTS OR OMISSIONS WHEREFORE THEY ALL HAVE AGREED TO CARRY WETZEL'S "DE-FACTO PERMANENT BAN" INTO SYSTEMWIDE PRACTICE & PUSHER.

XII LEGAL CLAIMS

88. CONSPIRACY - WHERE THE DEFENDANTS/TORT FEASORS MENTIONED THRU-OUT PARAGRAPHS 5 (FIVE) - 23 (TWENTY-THREE) KNEW THAT THEIR ACTIONS/OMISSIONS WOULD AMOUNT TO PLEA HAVE LEGAL RAMIFICATIONS WHEN THESE DEFENDANTS/TORT FEASORS ENTERED INTO AGREEMENT(S) WHICH CAUSE MR. JONES TO SUFFER 1ST, 5TH, 6TH, 8TH & 14TH AMENDMENT VIOLATIONS.

8 9°

CRUEL & UNUSUAL PUNISHMENT - WHERE THE DEFENDANTS/TORT FEASORS MENTIONED THRU-OUT PARAGRAPHS 5(FIVE)- 23(TWENTY-THREE)

KNOW THAT THEIR ACTIONS/OMISSIONS WOULD AMOUNT TO &/OR HAVE LEGAL RAMIFICATIONS WHEN THESE DEFENDANTS/TORT FEASORS KNOWINGLY SUBJECTED MR. JONES TO CRUEL & UNUSUAL PUNISHMENT

90° FAILURE TO INTERVENE - WHERE THE DEFENDANTS/TORT FEASORS INTENDED

THRU-OUT PARAGRAPHS 5(FIVE)- 23 KNEW THAT ACTIONS/OMISSIONS WOULD AMOUNT TO &/OR HAVE LEGAL RAMIFICATIONS WHEN THESE DEFENDANTS/TORT FEASORS KNOWINGLY FAILED TO STOP VIOLATIONS OF MR. JONES 1ST 5TH 6TH 8TH & 14TH AMENDMENT RIGHTS

91° VIOLATION OF DUE PROCESS - WHERE THE FOLLOWING DEFENDANTS/TORT FEASORS MENTIONED THRU-OUT PARAGRAPHS 5(FIVE)- 23 (TWENTY THREE)

KNOW THAT THEIR ACTIONS/OMISSIONS WOULD AMOUNT TO &/OR HAVE LEGAL RAMIFICATIONS WHEN THESE DEFENDANTS/TORT FEASORS ENGAGED IN MALICIOUS /WANTON GROSS NEGLIGENCE TO DEPRIVE MR. JONES OF ANY SEMBLANCE OF DUE PROCESS

92° RETALIATION - WHERE THE DEFENDANTS/TORT FEASORS MENTIONED THRU-OUT

PARAGRAPHS 5 - 23 KNEW THAT THEIR ACTIONS/OMISSIONS WOULD AMOUNT TO &/OR HAVE LEGAL RAMIFICATIONS WHEN THESE DEFENDANTS/TORT FEASORS ENGAGED IN CONDUCT AS A DISOURAGING/DETERRENT TO PREVENT MR. JONES FROM EXERCISING HIS CONSTITUTIONAL RIGHTS

93° PENNSYLVANIA STATE TORT CLAIMS - WHERE ALL OF THE DEFENDANTS/TORT FEASORS MENTIONED IN PARAGRAPHS 5 - 23 KNEW THAT THEIR ACTIONS/OMISSIONS WOULD

AMOUNT TO &/OR HAVE LEGAL RAMIFICATIONS WHEN THESE DEFENDANTS/TORT FEASORS ENGAGED IN MALICIOUS & GROSSLY NEGLECTIVE CONDUCT WHICH CAUSED MR. JONES TO SUFFER INTENTIONAL & CONVERSION TORTS

94°

PELICAR RISK & SUPERIOR KNOWLEDGE - WHERE ALL OF THE DEFENDANTS/TORT FEASORS MENTIONED THRU-OUT PARAGRAPHS 5 - 23 KNEW THAT THEIR ACTIONS/OMISSIONS WOULD AMOUNT TO &/OR HAVE LEGAL RAMIFICATIONS WHEN THESE DEFENDANTS/TORT FEASORS ENGAGED IN MALICIOUS & GROSSLY NEGLECTFUL CONDUCT WHICH SUBJECTED MR° JONES TO UNNECESSARY RISKS OR INDIFFERENT SUPERIORS WITH KNOWLEDGE OF SAID RISKS

95°

DEFAMATION - WHERE ALL OF THE DEFENDANTS/TORT FEASORS MENTIONED THRU-OUT PARAGRAPHS 5 - 23 KNEW THAT THEIR ACTIONS/OMISSIONS WOULD AMOUNT TO &/OR HAVE LEGAL RAMIFICATIONS WHEN THESE DEFENDANTS/TORT FEASORS ENGAGED IN MALICIOUS & GROSSLY NEGLECTFUL CONDUCT CAUSING MR° JONES TO BE DEFAMED

* * *

NOTICE *

96° MR° JONES IS IN THE PROCESS OF ACQUIRING A COPY(IES) OF:
THE U.S. DEPARTMENT OF JUSTICE REPORT CONDEMNING THE PADDIG
RESTRICTED HOUSING UNITS - R.H.U - AS INHUMANE.

XIII. MENTAL, PHYSICAL & EMOTIONAL INJURIES

97° BECAUSE OF THE CONTINUED CUSTOMS & PRACTICES ACTIONS OR OMISSIONS BY THE DEFENDANTS/TORT FEASORS THROUGH THEIR FARCE, FRAUD & FICTITIOUS APPLICATION OF SANCTIONS AGAINST MR° JONES MR° JONES' MENTAL & EMOTIONAL HEALTH HAS BEEN EXACERBATED - HE WAS HOSPITALIZED TWICE IN UNDER 30 (THIRTY) DAYS FOR ATTEMPTED SUICIDE WHICH SAID SUICIDE ATTEMPT WAS CAUSED BY AUDITORY & VISUAL HALLUCINATIONS

98° MR° JONES ALSO SUFFERS FROM IMMOBILIZING BACK PAINS DIZZINESS THYROID ILLNESS' PARANOIA HEART PROBLEMS OR AIRWAY CONSTRICIONS/LOSSAGE OF BREATH

99° WHEREFORE MR. JONES PRO SE PLAINTIFF RESERVES THE RIGHT TO AMEND THIS COMPLAINT

100° MR. JONES NOW STATES THAT HE HAS NO ADEQUATE NOR COMPLETE REMEDY[®] LAW TO REDRESS THE WRONGS DESCRIBED HEREIN MR. JONES HAS BEEN / IS BEING FOR YEARS NOW OR WILL CONTINUE TO BE IRREPAIRABLY INJURED BY THE CONDUCT OF THE DEFENDANTS UNLESS THE COURT GRANTS THE DECLARATORY & INJUNCTIVE RELIEF WHICH MR. JONES SEEKS

XIV. PRAYER FOR RELIEF

101° WHEREFORE MR. JONES RESPECTFULLY PRAYS THAT THIS COURT ENTERS JUDGMENT GRANTING MR. JONES:

102° A DECLARATION THAT THE ACTS / OMISSIONS & MISUSES DESCRIBED HEREIN VIOLATED MR. JONES' RIGHTS UNDER THE CONSTITUTION & LAWS OF THE UNITED STATES

103° A PRELIMINARY & PERMANENT INJUNCTION ORDERING THE DEFENDANTS TO END THEIR USAGE OF CONSTITUTIONAL VIOLATING CUSTOMS & PRACTICES

104° COMPENSATORY DAMAGES IN THE AMOUNT OF \$ 75,000.00 AGAINST EACH DEFENDANT JOINTLY & SEVERALLY

105° PUNITIVE DAMAGES IN THE AMOUNT OF \$ 95,000.00 AGAINST EACH DEFENDANT

106° A JURY TRIAL ON ALL ISSUES TRIABLE BY JURY PLAINTIFF'S COST OF SUIT

107° ANY ADDITIONAL REMEDIES OR RELIEFS THAT THIS COURT DEEMS JUST, PROPER OR EQUITABLE

DATE: MAY 13, 2016

RESPECTFULLY SUBMITTED,
S. MARCELLUS B. JONES

VERIFICATION

I, MARCELLUS B. JONES, HAVE READ THE FOREGOING COMPLAINT & HEREBY VERIFY THAT THE MATTERS ALLEGED THEREIN ARE TRUE, CORRECT & COMPLETE EXCEPT AS TO MATTERS ALLEGED UPON INFORMATION & BELIEF AND AS TO THOSE I BELIEVE THEM TO BE TRUE, I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE & CORRECT.

EXECUTED @ LUZERNE COUNTY PENNSYLVANIA ON MAY 13, 2016

S. MARCELLUS B. JONES

PROOF OF SERVICE

"I, MARCELLUS B. JONES DO HEREBY CERTIFY THAT TRUE & CORRECT COPIES OF: REQUEST FOR EXTENSION OF TIME & AMENDED COMPLAINT "WAS SENT on MAY 13, 2016 TO:

105th DIST COURT, JUDGE GERALD McHUGH
2609 115th COURT HOUSE / ROOM 9b13
601 MARKET ST | PHILA PA 19106

BY FIRST CLASS MAIL